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Attorneys for Defendant

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**PORLTAND DIVISION**

A.M., an individual,

Case No. 3:21-cv-01674-MO

Plaintiff,

v.

OMEGLE.COM LLC,

**DEFENDANT OMEGLE.COM LLC'S  
NOTICE OF SUPPLEMENTAL  
AUTHORITY RE: MOTION TO  
DISMISS PLAINTIFF'S SECOND  
AMENDED COMPLAINT PURSUANT  
TO FED. R. CIV. P. 12(b)(6)**

Defendant.

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Defendant Omegle.com LLC respectfully submits the decision issued by the United States Court of Appeals for the Ninth Circuit on October 24, 2022, in the case of *Does v. Reddit, Inc.*, No. 21-56293, 2022 U.S. App. LEXIS 29510 (9th Cir. Oct. 24, 2022) – a copy of which is attached hereto as **Appendix A** – as supplemental authority in support of Omegle's pending

Motion to Dismiss Plaintiff's Second Amended Complaint ("SAC") (Dkt. 49), and specifically, Plaintiff's claim for alleged violation of the Trafficking Victims Protection Act ("TVPA").

The Ninth Circuit's decision in *Reddit* (1) confirms the Court's prior ruling that to state a TVPA claim that escapes Section 230's bar, a plaintiff must plausibly allege that the defendant-website's own alleged conduct constitutes a violation of 15 U.S.C. § 1591, and (2) states the type of knowing participation in, and benefit from, the alleged sex trafficking venture that a plaintiff must plausibly allege to state a TVPA claim against a website. *See Reddit*, 2022 U.S. App. LEXIS 29510 at \*18, 19-22. These points are relevant to arguments made in Omegle's pending Motion to Dismiss. (See Dkt. 49 at 15-22; Dkt. 57 at 10-17.)

Dated this 25th day of October, 2022.

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Respectfully submitted,

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